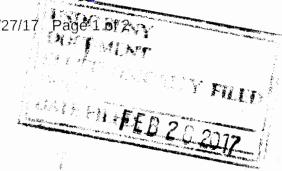
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UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

EDWIN ZAYAS, individually and on behalf on behalf of all others similarly situated, Plaintiff

- against -

144 NINTH GOTHAM PIZZA, INC. d/b/a GOTHAM PIZZA and 364 WEST 19TH STREET LLC,

Defendants

16cv4176 (GBD)(JCF)

STIPULATION DISCONTINUING ACTION WITH PREJUDICE

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned, the attorneys of record for all the parties to the above-entitled action, that whereas no party hereto is an infant, incompetent person for whom a committee has been appointed or conservatee and no person, not a party, has an interest in the subject matter of the action, the above entitled action be, and the same hereby is discontinued with prejudice, without costs to any party as against the other. This stipulation may be filed without further notice with the Clerk of the Court.

DATED:

JAMES E. BAHAMONDE, P.C.

James E. Bahamonde 2501 Jody Court North Bellmore, NY 11710

Tel: (516) 783-9662 Fax: (646) 435-4376

Attorney for Plaintiff

BELL LAW GROUP PLLC

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100 Quentin Roosevelt Blvd, Suite 208

Garden City, New York 11530

Tel: 516 280-3008

Attorneys for Defendants

SO ORDERED:

Dated:

4.00

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LONG TUMMELLO, LLP

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Tel: (631) 666-2500 Fax: (646) 435-4376 Attorney for Defendant

144 Ninth Gotham Pizza, Inc. d/b/a Gotham Pizza